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12 Attorney for Plaintiff
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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 BARRY KLIFF,
17 Plaintiff,
18 vs.
19 HEWLETT-PACKARD COMPANY, a
20 Delaware Corporation; and DOES 1
through 50, inclusive.
21 Defendants.
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23 Case No. C-05-01438 JW
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**STIPULATION AND [PROPOSED]
ORDER CONTINUING DISCOVERY
CUT-OFF DATE, EXPERT WITNESS
DISCLOSURE DATES, AND TRIAL
SETTING CONFERENCE DATES**

WHEREAS, the parties filed, and the Court approved, a stipulation on May 4, 2006, requesting that the Court continue the scheduled expert disclosure and discovery cut-off dates because the parties believed the case was ripe for Defendant to file a summary judgment motion and it was in their best interests, as well as the Court's, to litigate Defendant's summary judgment motion before expending further time and resources completing discovery, including additional depositions and expert discovery;

WHEREAS, the parties filed, and the Court approved, a stipulation on September 12, 2006, requesting that the Court continue the scheduled expert disclosure and discovery cut-off dates again because the Court continued the hearing date on Defendant's summary judgment motion until September 25, 2006 due to its unavailability, and then to October 3, 2006, due to Plaintiff's request;

WHEREAS, the Court took Defendant's motion under submission following the hearing on October 3, 2006;

WHEREAS, the parties filed, and the Court approved, a stipulation on October 18, 2006, requesting that the Court continue the scheduled expert disclosure and discovery cut-off dates again pending the Court's ruling on Defendant's summary judgment motion so that the parties could avoid expending further time and resources completing discovery, including additional depositions and expert discovery;

WHEREAS, Defendant's summary judgment motion is still pending;

THEREFORE, the parties stipulate and hereby respectfully request that the Court issue an order continuing the following dates as indicated so that the parties can avoid expending further time and resources completing discovery, including additional depositions and expert discovery, until the Court rules on Defendant's motion:

- 1) Last day for designated expert witnesses to produce their Rule 26 Reports is January 5, 2007;
- 2) Last day for Fact Discovery and Expert Discovery is January 26, 2007;
- 3) Last day to file/locate the Preliminary Pretrial and Trial Setting Conference Statement and Proposed Order with chambers is February 16, 2007;

1 4) The Preliminary Pretrial and Trial Setting Conference is February 26, 2007.
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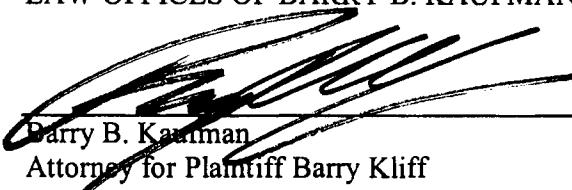
4 MORGAN, LEWIS & BOCKIUS LLP
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6 DATED: November 13, 2006
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10 Alexander Nestor
11 Attorneys for Defendant Hewlett-Packard
12 Company
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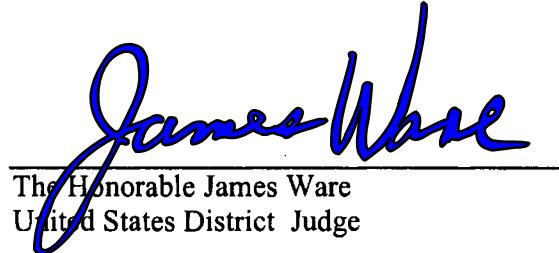
14 LAW OFFICES OF BARRY B. KAUFMAN, APC
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16 DATED: November 16, 2006
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19 Barry B. Kaufman
20 Attorney for Plaintiff Barry Kliff
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22 **ORDER**
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24 Pursuant to the parties' STIPULATION, and GOOD CAUSE having been shown therefor,
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26 IT IS SO ORDERED:
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28 DATED: 11/17/2006
1 
2 The Honorable James Ware
3 United States District Judge
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